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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,944	01/06/2002	Glenn Reid	APLE.P0018	4438

23349 7590 03/18/2004  
STATTLER JOHANSEN & ADELI  
P O BOX 51860  
PALO ALTO, CA 94303

EXAMINER
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RAHMJOO, MANUCHER

ART UNIT	PAPER NUMBER
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2676

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DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/042,944

Applicant(s)

REID ET AL.

Examiner

Mike Rahmjoo

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 and 11-13 is/are allowed.
- 6) ☒ Claim(s) 4-10 and 14-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 4- 10 and 14- 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Takiguchi et al, US2002/0032696, hereinafter, Takiguchi.

As per claims 4 and 14 Takiguchi teaches acquiring a first set of digital image files into said computer system during a first single session see for example figures 3 and 6; and marking said first set of digital image files into said computer system during said first single session as a set of related image files see for example figures 3 and 6 and column 10 paragraph [0185](orderly displaying of data associated in rings).

As per claims 5 and 15 Takiguchi teaches displaying said first set of digital image files as being from a single film roll see for example column 20 paragraph [0352] and

figures 53- 57.

As per claims 6 and 16 Takiguchi teaches acquiring a second set of digital image files during a subsequent second session; and marking said second set of digital images during said second session as related see for example column 19 paragraph [0344] and figures 53- 58.

As per claims 7 and 17 Takiguchi teaches giving said first set of digital image files a same creation date and time see for example column 10 paragraphs [0195] and [0199] and figure 7.

As per claims 8 and 18 Takiguchi teaches selecting at least one digital image file displayed in an image display area; and selecting a keyword button from a keyword button area see for example column 20 paragraphs [0352](738 as group identifier and 731 as data identifier and 736 as icon picture ID) and figure 57; and marking said at least one digital image file with a keyword associated with said keyword button see for example column 20 paragraphs [0352](flagging and displaying of data icons as shown in figures 55 a- d).

As per claims 9- 10 and 19- 20 Takiguchi teaches displaying said selected keyword in said image display area and at least one image in said image display area see for example column 20 paragraphs [0352] and figures 55- 58.

***Allowable Subject Matter***

Claims 1- 3 and 11- 13 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments filed 02/ 23/ 2004 have been fully considered but they are not persuasive.

As per applicants remarks, applicant argues that Takiguchi does not teach "acquiring a first set of digital image files into said computer system during a first single session and marking said first set of digital image files into said computer system during said first single session as a set of related image files".

The examiner respectfully disagrees.

Takiguchi teaches acquiring a first set of digital image files into said computer system during a first single session see for example figure 6 and 41a, 41b, 41c, and 41d as denote a data icon on the ring (a data item in the time band represented by the ring) in the different states each representing a set of digital image files ; and marking

said first set of digital image files into said computer system during said first single session as a set of related image files see for example figure 6 and rings 42a, 42b, 42c, and 42d which denote a ring representing a date in different states which represent orderly displaying and categorizations of data associations in rings.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### **Inquiry**

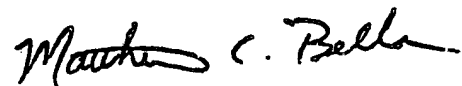
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (703) 305-5658. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (703) 308- 6829. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872- 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Mike Rahmjoo

March 16, 2004



**MATTHEW C. BELLA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**